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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CR No. 06-0814 MHP
	)	
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del> ORDER
	)	EXCLUDING TIME
v.	)	
	)	
JOSE MEDINA-GONZALES, aka JOSE	)	
OCHOA,	)	
	)	
Defendant.	)	

On February 26, 2007, the parties in this case appeared before the Court and stipulated that time should be excluded from the Speedy Trial Act calculations from February 26, 2007 to April 2, 2007 for effective preparation of counsel in that both parties' counsel required adequate time to negotiate and prepare a plea agreement, and to obtain and review a criminal history report from U.S. Probation, and for the Court's consideration of the plea agreement once it is submitted. The parties represented that granting the continuance was the reasonable time necessary for effective preparation of counsel, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed that the ends of justice served by granting such a

1 continuance outweighed the best interests of the public and the defendant in a speedy trial. See  
2 18 U.S.C. § 3161(h)(8)(A).

3 SO STIPULATED:

4  
5 SCOTT N. SCHOOLS  
United States Attorney

6 DATED: February 28, 2007

7 /s/  
JULIE A. ARBUCKLE  
8 Assistant United States Attorney

9 DATED: February 28, 2007

10 /s/  
STEVEN KOENINGER  
Attorney for Defendant Jose Medina-Gonzales

11  
12 As the Court found on February 26, 2007, and for the reasons stated above, the Court finds  
13 that the ends of justice served by the continuance outweigh the best interests of the public and the  
14 defendant in a speedy trial and that time should be excluded from the Speedy Trial Act  
15 calculations from February 26, 2007 to April 2, 2007 for effective preparation of counsel, and the  
16 Court's consideration of the plea agreement once it is submitted. See 18 U.S.C. §3161(h). The  
17 failure to grant the requested continuance would deny counsel reasonable time necessary for  
18 effective preparation, taking into account the exercise of due diligence, and would result in a  
19 miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

20 SO ORDERED.

21  
22 DATED: 3/5/2007

23 Marilyn Hall  
United States

